LAST EDITION.

TUESDAY EVENING.

TOPEKA, KANSAS, NOVEMBER 10, 1908.

TUESDAY EVENING.

TWO CENTE

Petition for a Rehearing in the Standard Oil Case

Is Denied by the U.S. Circuit Court of Appeals.

TO HIGHEST TRIBUNAL

Will Attempt to Carry It Up on a Writ of Certiorari.

Decision as It Stands Nullifies Much of Roosevelt's Work.

Chicago, Nov. 10 .- The government's of appeals reversed the trial court in fining the Standard Oil company of Indiana \$29,240,000 for alleged rebating. said: was denied in the court of appeals to-It is authoritatively stated that the government will now attempt to bring the whole matter before the supreme court on a writ of certiorari.

The government in its petition for a rehearing intimated that if the opinion of the judges of the appellate court-Grosscup, Seaman and Bakerwere allowed to stand it would nullify nearly every shred of rate reformatory legislation accomplished by the Roosevelt administration. In summing up its position, counsel for the government trial, and conviction in due process of said that the opinion of the court of said that the opinion of the court of the co material portions of the record; did injustice to the trial judge, Landis; left doubtful, in a new trial, the rule of law to be applied both as to knowledge on the part of the shipper that he was accepting as position, counsel for the government said that the opinion of the court of appeals as it stood, erroneously stated doubtful, in a new trial, the rule of law to be applied both as to knowledge on the part of the shipper that he was accepting an illegally low rate; did not make it clear what was to constitute one offense—a trainload, a carload, or a whole series of shipment for which but one settlement of freight charges had been made. It was further allegded that the language of the appellate government's attempt to have the case ed thet the language of the appellate judges appeared to be in conflict with the language of the supreme court and with language used by the presiding judge, Judge Grosscup, in a previous similar case. The petition closed with a statement that if the opinion of the court of appears were permitted to court of appeals were permitted to stand unmodified it would "tend to en-courage disobedience to law; to im-pede the enforcement of salutatory statutes and largely to defeat their

The Court's Opinion.

In overruling the petition the court that portion of the opinion that relates to the judge's statement, in passing sentence, that he was 'unable to indulge the presumption that in this case the defendant was convicted of its virgin offense'—the point of the petition being that in the use of the word 'defendant' in connection with 'virgin offense' the trial court referred to the Standard Oil company of Indiana and not the Standard Oil company of New Jersey.

"The trial court in passing sentence that relates ment has only to visit the office of Coroner Hoffman 'some time in the near future, and hear the voices of murderers, making their last denials or detailed confessions, difter they have paid the penalty for their misdeeds.

These voices of the dead are to become a portion of the county records. They will take their place among the musty files of the coroner's office, and when necessary may be and the proposed of the coroner's office. "The petition for a rehearing ques

"The trial court in passing sen-tence expressly stated that the Standard Oil company of Indiana was the nominal defendant, the Standard Oil company of New Jersev being the real defendant and every word, almost, of the trial court, in arriving at its concrime showed that they had a peculiar relation to each other—the revenues referred to obviously being the revenues of the Standard Oil company of New Jersey—forty per cent on \$100,000,000,000—no revenues of the Standard Oil company of Indiana being in the record at all. And counsel ing in the record at all. And counsel for the government plant their justification of the fine upon the showing of the revenues, not of the Standard Oil company of Indiana, but of the Standard Oil company of New Jersey. But as a suggestion is made that that line in the text of the opinion be changed, the suggestion will be accepted and the opinion so amplified that while the language used to express the point is changed, the substance of the point is changed, the substance of the point involved will be more clearly brought out.

ENORMOUS BUYING.

General Range of Wall Street Prices Up Two Points.

New York, Nov. 10.—Enormous buying of stocks of the Southern Pacific and Union Pacific roads excited the stock market today and pulled the general range of prices up 2 points or more from a depression into which it

Correctness of the Text.

"The petition for a rehearing also questions the correctness of the text of that portion of the opinion in which dealing with the question whether a shipper is guilty of accepting a concession, even though it is shown that the shipper, at the time of secenting such concession did not accepting such concession, did accepting such concession, did not know what the lawfully published rate actually was, the view taken by the trial court is said to be 'a view of the law that is embodied in the charge, and carried out in the rulings excluding certain proferred testimony, including that of one Edward Bogardus'—the point of the complaint being that the testimony of Bogardus, as to whether he knew or did not know of an 15 cent rate over the Alton road was not excluded. Now as to what physically went into the recwhat physically went into the rec to what physically went into the record: Bogardus's testimony was admitted and went to the jury on the issue adopted by the court whether he had made 'diligent endeavor' to ascertain the rate—an issue wholly different from the one upon which it was offered, viz: Whether or not defendant had knowledge of what the lawfully established rate was. On the latter issue the testimony of Bogardus was as effectually excluded by the charge to the jury as if it had been physically expunged from the record."

Jolt for Bonaparte. In closing the court of appeals pays in closing the court of appeals pays its respects to Attorney General Bonaparte, special assistant attorney General Frank B. Kellog, district Attorney Edward W. Sims, and special assistant United States Attorney James H. Walkerson, whose names were signed to the petition, in the following paragraph:

"We are not going to say exacts that counsel accustomed to practice in the courts of review, not only know the meaning of legal terms constantly in use in discussions and opinions of these courts, but will not misuse such terms to spread misinformation respecting a judgment that, in the nature of the case, is bound to attract wide public attention—a remark the germaneness of which the bar of the germaneness of which the bar of the country will perceive when we say that all that has to be done to obviate the

objection made is to insert a clause so that the portion of the opinion objected to will read 'A view of the law that is embodied in the charge and carried out in the rulings excluding AS A RESULT OF THE CHARGE ON THAT POINT the proferred testimony of one Edward Bogardus'—the capitalized portion being the only words in-

serted."

In addition to the slight change just mentioned Judge Baker amplified the original opinion by two paragraphs clarifying the court's opinion as to what constitutes a separate offense and dealing with the government's contention that one corporation may use another to commit offense thus escaping punishment. Judge Baker said:

On Accepting Concessions, "The offense of accepting a conces-sion is the 'transaction' that the given rebate consummates—not the unit of mere measurement of the physical thing transported—but the 'transaction' whereby the shipper for the thing shipped, no matter how great or how little its quantity, received a rate different from the established rate the wide range between maximum and Chicago, Nov. 10.—The government's minimum punishment being doubtless petition for a rehearing of the case in which the United States circuit court which to differentiate the punishment of appeals reversed the trial court in adapted to one transaction from the on the second point Judge Baker

> "True it is that if one corporation "True it is that if one corporation uses another corporation to violate law, just as if one individual uses another individual to violate law such offender ought not though masked to go unpunished, and there are ways as old as the law itself, to reach and punish him. But can the individual who is merely 'said' to have procured the crime to be committed be deprived of a hearing—be condemned to punishment without be condemned to punishment government's attempt to have the case taken before the supreme court on a

writ of certiorari. VOICES OF THE DEAD.

Stories of Condemned Murderers Pre served by Phonographs.

Chicago, Nov. 10 .- That grewsome figure of speech-"Listening to a voice from the grave"-has become startling reality.

and when necessary may be used in court. The verbal statement of a man who is dead seldom finds its repeated by another, but this is one of the promises of the new system. The phonograph already has been used in one important murder case—that of Mrs. Fannie Thompson who

who rented the room in which the woman was murdered, has been transferred to one of the records and may be heard among the other voices which the coroner is preserving in

ENORMOUS BUYING.

more from a depression into which it more from a depression into which it had been forced by heavy profit taking sales. Southern Pacific advanced 6 points above last night's close, to 118½. Union Pacific went up 3½ points to 181 %. Rumors of an intention to increase the dividend of the Southern Pacific to 7 per cent tomorrow were circulated. There were also reports that Southern Pacific contemplated an issue of \$100,000,000 in bonds to retire its 7 per cent preferred stock. its 7 per cent preferred stock.

OFF COMES HIS HEAD.

Seattle Postmaster Sald to Have Solicited Campaign Funds,

general today announced that the presi-dent has decided to remove George M. Stewart, postmaster of Seattle, Wash. as the result of an investigation of probable a meeting with Mr. Carmack. Charges that he solicited campaign contributions. The records of the postofice department also show that the tothe governor's mansion to avoid any postal service at Seattle has been unpossible meeting with Mr. Carmack, satisfactory.

NEW FREIGHT RATE SCHEDULE.

Hearing of Testimony Will Be Commenced Nov. 17.

The hearing of testimony in the case involving the proposed new schedule of Kansas freight rates will be resumed on Nov. 17. At this ses-sion, the testimony of the state will be presented.

We are not going to say exactly

Former Senator Carmack Tennessee Is Shot

In an Encounter on the Streets of Nashville.

POLITICS THE CAUSE.

Had Criticised His Slayer's Father in Newspaper

Of Which He Was in Editorial Charge.

Nashville, Tenn., Nov. 10 .- As a sequel to the recent bitter Democratic primary for the gubernatorial nomina-



Edwin W. Carmack, Former United States Senator of Tennessee, Who Was Shot and Killed.

Carmack was wounded three times in the neck, the breast and left shoulder. Col. Duncan B. Cooper, father of the younger man, was with his son during the affray, but did not fire a shot. It is said he stood by with pistol in hand. He is detained at police headquarters.

quarters. The cause of the killing is a recent series of editorials in the Tennesseean, a daily paper of which Mr. Carmack became editor after his defeat for the nomination for governor. The editorials in question had been vigorous in their comment on Col. Cooper and his al-leged connection with what Mr. Car-mack termed "The Democratic ma-chine" and its methods. Col. Cooper, who is well known in newspaper circles mack termed "The Democratic machine" and its methods. Col. Coopers, who is well known in newspaper circles in Tennessee and the south, had, it is said, notified Mr. Carmack that the reference to him must cease. Another such editorial appeared yesterday morning. The men fought at close surrers and there were few witnesses. It was past 4 o'clock, in the dusk of the another, business manager of his newspaper, the Tennesseean. There it remained until removed today to Columbia, and there were few witnesses. It was past 4 o'clock, in the dusk of the another, business manager of his newspaper, the Tennesseean. There it remained until removed today to Columbia, where it will be interred. Mr. Carmack had just lifted his hat to Mrs. Chas. H. Eastman, a friend, who was passing. In a moment the firing began and Mrs. Eastman was a borrified witness at close range. So close was she that one of the Coopers is said to have charged Carmack with being a coward and hiding behind a woman. Cooper's friends assert Carmack, and the other coopers friends assert Carmack, and makes that the street of the membership of the American the shooting.

After having been prepared for burial the shooting.

After having been prepared for burial the body of the dead ex-senator was removed to the home of Fragata to the home of Fragata the body of the dead ex-senator was removed to the home of Fragata the body of the dead ex-senator was removed to the home of Fragata the body of the dead ex-senator was removed to the home of Fragata the body of the dead ex-senator the membership of the American the membership of the federation of Labor, so be it; I don't experience to him a marker and man who is dead seidom finds its way into courts at present, except as repeated by another, but this is one It was past 4 o'clock, in the dusk of the ciusion respecting the sentence, re-lated to the Standard Oil company of New Jersey and not to the Standard Oil company of Indiana, including the statement that the revenues of the 'offender' and the character of the man's friends stoutly protest that his opponent was the first to shoot. The tragedy created intense excitement throughout the city and within a short the streets in the neighborhood the streets in the neighborhood."

"" and the other "carrying a pistol."

were thronged.

A statement issued by friends of the Coopers says that Col. Cooper had recently talked with E. A. Craig of Chattanooga, a close friend of Mr. Car-Chattanooga, a close friend of Mr. Carmack, regarding the Tennessean editoriais. Col. Coorer had told Craig, the
statement says, that he wanted the
references to himself stopped; that he
was a private citizen and Carmack had
no right to discuss him in the manner
he had adopted. Mr. Craig, it is said,
saw Mr. Carmack about the matter and
reported that Carmack would consent
to no relations with Cooper. Mr. Craig, to no relations with Cooper. Mr. Craig. however, is said to have expressed the opinion that the editorial reference yould cease. Cooper had a letter which he desired to send Carmack, but friends argued against it and urged him to take no notice of the editorials. Some time after this conference of Cooper and his friends the former was re-quested, the statement says, by Governor Patterson to come to the execu-tive mansion, which is on Seventh ave-nue north, for consultation on a matter not connected with Carmack, and to bring with him Austin Peay, chairmar of the Democratic state committee After the appointment was made. Washington, Nov. 10.—The postmaster and General Tully Brown again referred to the Carmack matter and advised Col. Cooper not to go on the street in such directions as would make probable a meeting with Mr. Carmack. To this Col. Cooper assented. He and his son Robin then left the office to go they went through the Arcade and up through Union street to Seventh avenue north, their purpose in taking this was to avoid a meeting on the s. The statement continues:

"Col. Cooper and his son went through the Arcade, through Sum-mer, then to Union and up to Union to Seventh, Turning into Seventh avenue north, Col. Cooper and his son saw Mr. Carmack walking up Seventh avenue going north on the west side of the street and in the direction of Col. Cooper and his son, then on the opposite side of the street from them.

thereupon fired two shots, both of which struck Robin Cooper, who had intervened in his father's protection. Then it was after being shot, that Robin Cooper fired the fatal shots, Col. Cooper never using a pistol at all. "After the shooting Col. Cooper accompanied his son to Dr. Fort's sanitarium, from which place he was taken to St. Thomas hospital, after the

itarium, from which place he was taken to St. Thomas hospital, after the
arrival of his brother-in-law, Dr. Luclus Burch. It was discovered that one
bullet had entered Mr. Cooper's right
breast in the region of the shoulder,
inflicting a dangerous wound in a dangerous region, but it is thought he
will recover. The other bullet from will recover. The other bullet from Mr. Carmack's pistol passed through both the overcoat and undercoat sleeve of Mr. Cooper, near the left shoulder.

"Shortly after Robin Cooper's wound had received attention Col Cooper, who had surrendered to the coolice officers, accompanied them to the station.'

the station."

Col. Cooper refused to consent to any effort being made to secure his release upon bond for the present. He said, it is understood, he desired the matter thoroughly investigated so that it might be seen he was entitled to bond before he would ask for it at all.

No public statement could be obprimary for the gubernatorial nomina-tion in Tennessee, Edwin W. Carmack. former United States senator from Tennessee, has been shot and killed in a street duel here by Robin Cooper, a young attorney. Young Cooper was

wounded in the shoulder by a bullet from Carmack's revolver and is under police surveillance in a local hospital. His condition is not serious.

And the senator replied he did not intend to show the "white weather."

Mr. McCord said also that replying to these admonitions, Mr. Carmack had declared that he did not think Col. Cooper intended to harm him.

STIRS WHOLE STATE.

The Carmack Shooting Furnishes a Big Sensation in Tennessee.

Nashville, Tenn., Nov. 10.-Messages by wire and mail from various sec-tions testify to the tremendous sensa-tion caused throughout the state and tion caused throughout the state and the south by the killing of former Uni-ted States Senator E. W. Carmack by young Robin Jones Cooper, in a street duel here late yesterday afternoon. Carmack's brilliant career as a Uni-ted States senator from Tennessee had made him one of the best known of national figures. Colonel Duncan B. made him one of the best known of national figures. Colonel Duncan B. Cooper, father of young Robin Cooper and who was with his son, when the duel occurred, has an extensive acquaintance and a legion of friends both in his own and various other states. Carmack's race for the nomination as Democratic senator in which he was defeated by Senator Robert I. Taylor, and his more recent race for the governorship in which he was defeated by Governor Patterson, have served to draw his following in the state closer to him and his tragic end has spread distress and bitterness among them. It is feared by some that the end of the trouble is not yet, and it is sure to play a part in coming political alignments. In each of Carmack's recent campaigns feeling ran to fever heat and on both occasions Cooper was with the opposition. In former years the men were dear friends, Carmack

"It is yet the fact that I have frequently bear asked to meet the president have always been on a strictly business basis. I have frequently requested an audience with him regarding matters of import to the federation, both in the matter of pressing the administration for fair labor legislation and in the political campaign just ended.

"This is the first affair of the kind that I know of at the White House to which I have not been invited, but despite the fact that I have frequently been asked to meet the president and his friends socially, I have never availading ments. In each of Carmack's recent campaigns feeling ran to fever heat and on both occasions Cooper was with the opposition. In former years the men were dear friends, Carmack

"This is the first affair of the kind that I know of at the White House to which I have not been invited, but despite the fact that I have frequently seen asked to meet the president and his friends socially, I have never availating the feeling proposition and in the political campaign in the political campaign in the state of the white House to which I have not been invited by suited the fact that I have frequently heat and on both occasions Cooper was with the opposition. In former years the men were dear friends, Carmack having declared in public print that Cooper was his benefactor. But friendship has been replaced by enmity which was more noticeable since Carmack became editor of the Tennesseean following the late primary. Then the editorial attacks began which culminated in the shooting.

In the first instance the complainant is Mrs. E. W. Carmack; in the latter it is the mayor and city council. Cooper gave his occupation as that of a farmer. He accepted the situation aithough once or twice he seemed somewhat affected and observed that the shot was meant for him and not for his boy. He was reconciled to his condition of imprisonment, remarking that as a soldier in the confederate army he had spent more than one year in a federal prison.

SENATUR LUNG HERE.

He Is on His Way to Washington—Doesn't Talk of Plans,

Senator Chester I. Long is in Topeka today on his way to Washington. He will stop at Kansas City, Chleago and other points en route, but expects to arrive in Washington next week.

"I have nothin-further to say about this story that has been printed con-

army he had spent more than a federal prison.

Colonel Cooper turned over his reColonel Cooper turned over his revolver, none of the chambers of which had been emptied, to a police sergeant. Robin Cooper did likewise with his and one empty shell dropped out of the and one empty shell dropped out of the magazine when the young man's wear magazine when the young man's wear unbreached. It is an autoand one empty shell dropped out of the magazine when the young man's weapon was unbreeched. It is an automatic magazine revolver, and it is not known how many shots had been fired, but it was thought an examination would show three. Two chambers of the revolver of Senator Carmack were the revolver of Senator Carmack were the connected with a prominent position.

Only two statements were made by young Cooper while in the physician's office last night. One was a request to his father to give up his pistol and in the other he said: "I'm sorry the shoot-

END OF WHEAT EXPORT.

President Hill Says It Will Cease in Six Years.

Tacoma, Wash., Nov. 10.—Six years will bring the end of wheat exportation from Puget sound and other Pacific coast ports, according to a prediction made here by James J. Hill, chairman of the board of directors of the Great Northern railroad. Mr. Hill asserted that within that neriod the asserted that within that period the consumption of wheat by the United States will be so great it will not more than equal, if it will equal, home con-

sumption.

Mr. Hill, together with the presi opposite side of the street from them.
Col. Cooper thereupon sald he would go over and speak with Mr. Carmack and see if he would not agree to stop making the annoying newspaper attacks on him.

"Col. Cooper walked across the dens of the Great Northern, No

Says Gompers to Be Excluded From Roosevelt's Invitation

To a Labor Legislation Meeting at White House.

OFTEN ASKED

To Meet the President Socially But Always Declined.

Visits Have Always Been Strictly Business Affairs.

Denver, Colo., Nov. 10.-Considerable mment was caused by that portion of the annual report of President Samuel Gompers, read to the convention of the American Federation of Labor in which Mr. Gompers said that President Roosevelt had issued invitations to a number of labor leaders to meet with prominent lawyers and jurists at a dinner at the White House a week from today for the purpose of discussing labor legislation. President Roosevelt, said the report of Mr. Gompers, also mentioned. velt, said the report of Mr. Gompers, had excluded from the list of invited guests the officers of the American Federation of Labor, including its president.

Mr. Gompers, in an interview on the subject, refused to discuss the question from a political standpoint, but con-tented himself with a statement to the effect that he deemed himself honored by the exclusion and considered the president's act a tribute to his hon-

He said:
"I am honored by the president when he excluded me from his guest list. It is a high tribute to the manner in which I have represented the interests of the millions of workingmen and women handed together in the federation

SENATOR LONG HERE.

FIGHT ON A BALCONY.

Structure Collapses and About 100 Students Are Injured.

Vienna, Nov. 10 .- An encounter between two warring factions of students attending the University of Vienna re-sulted this morning in injury to about 100 of the young men. The cause of the conflict is to be found in the smouldering antagonism between the Pan-German and the Jewish students. This bitter feeling broke out today and led to a sanguinary encounter which culminated in the collapse of a balcony in the university and the precipitation of many of the combatants to the floor

Hebrew students' corporation turned up at the university at an early turned up at the university at an early hour determined to keep the Pan-Germans out. Three hundred of the Hebrews blockaded one of the main stair cases. Apprised of the situation, the Pan-Germans gathered in force and stormed the staircase which leads to a balcony. The fighting for a few moments was fierce, but in the midst of it a portion of the balcony collapsed and over 100 students crashed to the ground. Most of them were injured and some seriously.

LIGHT RAIN FALLS IN TOPEKA.

Threatening Today and a Promise Unsettled Conditions,

The same brand of weather which Topeka is enjoying today will be on the weather billboards for tomorrow, Th temperatures will be about the same as today and there will be either rain or snow. A slight rain fell this morning which amount to .07 of an inch. The

TAFT'S CABINET.

Several Changes Likely-Important Court Appointments.

Washington, Nov. 10 .- One of the first announcements from Presidentelect Taft, it is believed, will be the name of the next secretary to the president. Fred W. Carpenter of San Francisco, who served Judge Taft as

It is certain that there will be a reorganization of the cabinet. Among the changes considered likely to occur are the following: Truman H. New-berry of Michigan to succeed Victor H. Metcalf of California as secretary

h. Metcaif of California as secretary of the navy; Gifford Pinchot of Connecticut to succeed James Wilson as secretary of agriculture. It is generally conceded that Frank H. Hitchcock will be the next postmaster general. George Von L. Meyer has been mentioned for secretary of state or may go to take an important post in the diplomatic service.

The most important appointments of Mr. Taft's administration will be to the supreme court. Three members of that court, including the chief justice, are already past the age for retirement, and will certainly retire before the end of the Taft administration—Fuller, Brewer and Peckham. Two of these, Chief Justice Fuller and associate Justice Peckham, are Democrats.

crats,
The only other Democrat in the court is Associate Justice White of Louisiana

Louisiana.

William Loeb, jr., secretary to the president, insists that he will go into private business at the end of the present administration.

Secretary Cortelyou will undoubtedly retire and become the head of a financial institution in New York. The treasury portfolio, it is believed, will go to either Mr. Von L. Meyer or Mr. Loeb.

It is believed that President-electraft will make few characteristics Taft will make few changes in the working personnel of the administra-tion below the grade of cabinet offi-

ONE OF HIS BEST ACTS.

The President Is Much Pleased With Country Life Commission,

Washington, Nov. 10.—President Roosevelt considers the appointment of the commission of the country life one of the most important pieces of work he has done, according t the statement made by Prof. L. H. Bailey of Cornell university, chairman of the commission, after the president had discussed the result of the chairman of the commission, after the president had discussed the result of the first hearing at College Park, Md.

Dr. C. W. Stiles, who was present as a representative of the public Health and marine hospital service, declared that typhoid fever is essentially a farm discase in the southeastern states. The discussion brought out the necessity of better sanitary control in country districts. Among the other topics brought up were the need of rearranging the curriculum of country schools with a view to making them of more direct practical value to the farmer, the effectiveness of the rural church parcels post, good roads and the formation of farming institutions, small local insurance companies and co-operative and buying agencies.

C. J. Blanchard of the reclamation service has been appointed to go with the commission as business manager and Dr. E. W. Allen of the office of experiment stations as executive secretary.

MORSE A BANKRUPT.

Swears That He Has Not Enough to Pay His Debts.

New York, Nov. 10.—Charles W. Morse, who two years ago was rated as being worth more than \$20,000,000

End Came to John Vanderbeck While Engaged in Friendly Boxing Bout.

New York, Nov. 10.—A friendly bout with boxing gloves between John Vanderbeck and Edward Lynch in the room of a friend, William Kearney in East 104th street, resulted in Vanderbeck's death from fallure. He was 20 years old. three youths were close friends. Kearney and Lynch had often en-gaged in boxing, being fond of the sport, but Vanderbeck had never sport, but Vanderbeck had boxed because his physicians boxed because his physicians had prohibited violent exercise by him.

The chums met by appointment at Kearney's boarding house and Kearney and Lynch began boxing. Vanderbeck watched them for a time and then said he wished to box with Lynch Kearney and Lynch protested. Lynch. Kearney and Lynch protested it would be risky, but Vanderbeck in-sisted.

Problems Which Will Confront Coming Legislature.

Guarantee Deposit Law Is the Most Important.

ANINSURANCE BUREAU

One Is Likely to Be Created by the State.

Women Will Make Another Fight for Suffrage.

What are the big issues to be fought out before the coming session of the legislature?

The legislative sessions of 1903, 1905 and 1907, and the special session of 1908 were so full of matters of the utmost importance to the state that the 1969 session may seem tame in comparison. The state oil refinery battle, anti-pass battle and primary election battle will possibly not be equalled for spectacular effects for many years, The state has also cleaned up its financial methods, placed the control of its state institutions on a more businessifke basis, established civil service, passed a good assessment and taxation law, put through some necessary amendments to the railroad law, and threshed out the question of maximum freight

rates. Nevertheless, the indications are that the 1909 session will not be lacking in issues of great interest and importance. They may not be of the vital nature of the primary election and anti-pass laws, but they will be of sufficient importance to cause everybody to sit up and take notice.

The biggest question in popular interest will be the guaranty of state bank deposits. It seems almost certain that such a law will be enacted. It was demanded by the platforms of both parties.

parties.

The superintendent of insurance will probably ask the passage of a law creating a state bureau to fix fire insurance rates, and do the work now done by the private rating bureaus.

Robert Stone, representative from Shawnee county, will start a fight for state publication of school text books. This will be one of the interesting contests of the session.

The women will make the fight of their lives this session for the right of suffrage. They believe that their chances of success are better now than ever, and they think they have victory within their grasp.

ever, and they think they have victory within their grasp.

It is likely that an effort will be made to pass a bill prohibiting Sunday baseball. Such a bill will not be at all popular with the more liberal members of the legislature, and it is likely to be defeated. The passage of such a law would mean the end of professional baseball in Kansas.

The state educational commission and the state superintendent of

prosecuting the trusts. The legislature was asked to make some changes to strengthen the anti-trust laws, but the corporation attorneys corporation attorneys most of these laws

Governor Hoch and others are in favor of the enactment of an antilobby bill, and a bill creating a legislative reference department. This is also one of Governor elect Stubbs' pet ideas, and he tried to have it adopted at the last session. The plan is to keep all paid lobbyists from operating in the legislative halls, and to create a department in connection with the state library which will furnish members of the legislature the information they may want con-cerning proposed legislation, and similar legislation in other states, Such a department will be of great assistance to the legislative members in getting up safe and conservative bills, and in voting intelligently on

pending legislation.

There will probably be some important amendments proposed to the primary election law and the taxation law, to correct defects which have been disclosed in the operation of these laws.

Morse, who two years ago was rated as being worth more than \$20,000,000 been disclosed in the operation of yesterday swore under oath that he had not enough money or securities left from his vast fortune to pay his gebis. This revelation was made when Morse's attorney appeared in the United States circuit court of appeals to argue for the admission of Morse to bail. Morse has been sentenced to 15 years' imprisonment at hard labor in the federal prison at Atlanta was not permitted to leave the Tombs prison, but an affidavit made by him was read. The motion was argued before Judges Lacombe, Ward and Coxe and decision was reserved. It had not been expected that Morse would make the plea that he was a bankrupt.

HIS DEATH SUDDEN.

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How the disclosed in the operation of been disclosed in the operation of these laws.

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Another important measure which the legislature will have to discussed in the parameter which the legislature will have to discussed in the legislature will have to discussed the legislature will have to discussed in the legislature will have to discussed the legislature will hav

The establishment of a state fair is also a matter which will be discussed. It is very evident that there will be plenty of important business for the legislature to attend to.

W.R. Stubbs has given it out straight to some of his friends that he will take no part in the speakership fight. It has been hinted that Stubbs might throw his active support to J. N. Dolley, but Mr. Stubbs denies that such is his in-

tention.

Governor Balley precipitated a big row in the party by counseling the election of Pringle for speaker of the house, and Stubbs does not propose to get tangled up in the same net.

It is expected that Robert Stone of Topeka will make a formal announcement of his candidacy soon. He is the formidable antagonist of J. N. Dolley for this place. Dolley insists that he will make no fight for the position.

sisted.

After sparring a few minutes Lynch and some seriously.

Weather Indications.

Chicago, Nov. 19.—Forecast for Kansas: Rain or snow tonight or Wednesday. Not much change in temperature.